

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Jarrod Wayne Baxter

Docket No. 7:16-CR-37-1BO

Petition for Action on Supervised Release

COMES NOW David W. Leake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jarrod Wayne Baxter, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possession With the Intent to Distribute 28 Grams or More of Cocaine Base, in violation of 21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(B), was sentenced in the Eastern District of Tennessee by the Honorable J. Ronnie Greer, U.S. District Judge, on February 6, 2012, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Jarrod Wayne Baxter was released from custody on September 3, 2015, at which time the term of supervised release commenced.

Jurisdiction was transferred to the Eastern District of North Carolina on April 18, 2016.

In response to a urine test on March 27, 2017, which was confirmed positive for cocaine by Alere Laboratories, the defendant was removed from the Low Intensity program, and was referred to Coastal Horizons, Inc., for participation in substance abuse treatment. Additionally, he was taught the STARR Cognitive Model in an effort to help him improve his decision making skills.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On June 6, 2017, the defendant submitted to a urine test which was confirmed positive for cocaine by Alere Laboratories. When confronted about the positive drug test on June 28, 2017, the defendant confessed to getting drunk at a gathering on June 3, 2017, and apparently using cocaine. He apologized for his irresponsible actions. As the defendant resumed substance abuse treatment on June 8, 2017, his addictive tendencies are being addressed. Nonetheless, as a result of his use of cocaine, a 24-hour term of community service is recommended. Additionally, to address future drug use, it is recommended that the DROPS program condition be added. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ David W. Leake
David W. Leake
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2045
Executed On: June 29, 2017

ORDER OF THE COURT

Considered and ordered this 29 day of June, 2017, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge